

# REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF  
SIMPSON FARMS TENTATIVE MAP  
PDS2005-3100-5460 (TM), PDS2005-3910-05-19-023 (ER)

September 1, 2016

**I. HABITAT LOSS PERMIT ORDINANCE** – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

**II. MSCP/BMO** - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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The proposed project and any off-site improvements related to the proposed project are within the boundaries of the Multiple Species Conservation Program. The project conforms with the Multiple Species Conservation Program and the Biological Mitigation Ordinance as discussed in the MSCP Findings dated November 3, 2015.

**III. GROUNDWATER ORDINANCE** - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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The project will obtain its water supply from the Otay Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

**IV. RESOURCE PROTECTION ORDINANCE** - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

**Wetland and Wetland Buffers:** The site contains 0.19 acre of RPO wetlands: 0.17 acre of SCLORF and 0.02 acre of southern willow scrub. The project would impact 0.14 acre of SCLORF. However, the impacts are required for a road crossing, and the required findings of section 86.604(a)(5) have been made, as discussed in the Biological Technical Report section 2.3 on pages 27 to 29. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the RPO.

**Floodways and Floodplain Fringe:** The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

**Steep Slopes:** Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

**Sensitive Habitats:** Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. No sensitive habitat lands were identified on the site as determined based on the Biological Technical Report and a site visit conducted by staff biologist Beth Ehsan on June 20, 2014. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

**Significant Prehistoric and Historic Sites:** The property has been surveyed by a County of San Diego approved archaeologist, Mary Robbins-Wade, and County of San Diego approved historian, Stephen Van Wormer, and it has been determined there is

one (or more) archaeological/historical site(s) present within the project footprint. Testing and other investigation determined that one site (P-37-018378 – Barrett House) meets the definition of a significant site set forth in the Resource Protection Ordinance. This site is located on the portion of the property which will be Lot 99, and will require a Major Use Permit (MUP) filed and approved prior to development of this parcel. The project complies with the Resource Protection Ordinance because the site will be preserved, and will be reviewed and conditioned both with TM-5460 and in the future if/when a MUP for the commercially zoned portion of the site is filed. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO.

**V. STORMWATER ORDINANCE (WPO)** - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES

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NO

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NOT APPLICABLE

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The project Storm Water Management Plan has been reviewed and is found to be complete and in compliance with the WPO.

**VI. NOISE ORDINANCE** – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

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NO

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NOT APPLICABLE

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Even though the proposal could generate potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), the following noise mitigation measures are proposed to reduce the noise impacts to applicable limits:

The project is comprised of a Tentative Map subdivision located in the Jamul Dulzura Community Plan area immediately abutting Campo Road/SR-94. The project is subject to the County Noise Element which requires proposed exterior noise sensitive land uses not to exceed the 60 dBA CNEL noise requirement for single family residences. Noise levels from future traffic traveling on Campo Road/SR-94 were evaluated and determined that future traffic noise levels would be as high as 69 dBA CNEL on the ground level elevation of Lots 11, 12, 13, and 14. Additionally, noise barriers would be required would be required to reduce noise levels to 60 dBA CNEL and below at Lot 1 and Lots 11 through 16. Permanent sound barriers ranging from 5 feet to 8 feet high would be located along the entire southern boundaries of Lots 11 through 17 and on Lots 1 and 21 as shown on the Noise Report prepared by Helix. Incorporation of the noise barriers would reduce noise levels to 60 dBA CNEL and below. The entire area of Lots 11 through 16, and Lots 1 and 21 would be dedicated with a Noise Restriction Easement to ensure exterior and interior noise levels pursuant to the County Noise Element are satisfied prior to building permits. Off-site direct and cumulative noise impacts to off-site residences was also evaluated and determined that project related traffic on nearby roadways would not have a direct noise impact of 3 dBA or more and

would not have a significant contributions to the cumulative noise in the area. Direct and cumulative noise impacts to off-site existing residences are not anticipated.

The project is also subject to temporary construction noise as it relates to the County Noise Ordinance, Section 36.409. Grading equipment operations would be spread out over the project site from varying distances in relation to occupied property lines. General grading operations comprised of a dozer and excavator is anticipated to comply with the 75 dBA Leq eight hour requirement at any occupied property lines. However, proposed use of breaker equipment may potentially result in levels exceeding this threshold requirement of 75 dBA. Noise mitigation would be required to establish setback requirements for the operation of the breaker equipment to a minimum distance of 300 feet from the nearest property line of an occupied residence. This setback distance requirement would demonstrate noise ordinance compliance with the proposed breaker operations. Additionally, proposed blasting operations may result in an exceedance to the County Noise Ordinance and a Blasting Management Plan would be required to ensure all associated blasting activities comply with County noise standards.

Therefore, incorporation of noise measures comprised of noise barriers, Noise Restriction Easement dedication, limitations on breaker equipment locations, and a Blasting Management Plan requirement would ensure the project complies with County noise standards.